

## SENATOR BURNEY

Moved the previous question on the bill as amended.

Seconded and the main question ordered.

The bill passed to its third reading by the following vote:

## YEAS—17.

Abercrombie,	Jarvis,
Allen,	Knittle,
Burney,	McDonald,
Calhoun,	Macmanus,
Claiborne,	Simkins,
Field,	Terrell,
Frank,	Woods,
Gregg,	Woodward,
Harrison,	

## NAYS—4.

Bell,	Glasscock,
Douglass of J,	Lane,

Senators Burges, Camp, Houston, and Pope were present but did not vote.

## A MESSAGE

From the House announcing the passage of House bill No. 228, "An act to create the counties of Albion, Hayne, Jeff Davis and Prentiss from Presidio county."

## SENATOR HARRISON

Called up the motion made yesterday to reconsider the vote by which the Senate refused to engross Senate bill No. 10.

The motion to reconsider was adopted by the following vote:

## YEAS—17.

Allen,	Gregg,
Bell,	Harrison,
Burges,	Knittle,
Burney,	McDonald,
Calhoun,	Simkins,
Claiborne,	Terrell,
Field,	Woods,
Frank,	Woodward,
Glasscock,	

## NAYS—9.

Abercrombie,	Lane,
Camp,	Macmanus,
Douglass of J,	Pope,
Houston,	Upshaw,
Jarvis,	

On motion of Senator Bell,

The bill was laid on the table, subject to call.

## SENATOR BELL

Called up House bill No. 47. "An act to amend article 528, chapter 7, title 5 of the Penal Code," and it was passed to third reading.

Special order Senate bill No 59 was reached, but no action was taken on it.

On motion of Senator Harrison

Senate bill No. 50 was made the special order for Monday next after morning call.

Senate bill No. 70. "An act to amend Articles 4489 and 4492, title 90 of the Revised Statutes of Texas," was taken up; read third time and passed.

On motion of Senator Upshaw,

The Senate adjourned until 10 o'clock to-morrow morning.

## TWENTY-SEVENTH DAY.

SENATE CHAMBER, }  
AUSTIN, TEXAS, February 10, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

Senator Macmanus moved to dispense with the reading of the Journal of yesterday.

The motion received a tie vote, the President voted yea, and it was adopted as follows:

## YEAS—13.

Abercrombie,	McDonald,
Allen,	MacManus,
Bell,	Pope,
Calhoun,	Upshaw,
Douglass of J.	Woodward,
Field,	Mr. President.
Frank,	

## NAYS—12.

Burges,	Houston.
Burney,	Jarvis,
Camp,	Knittle,
Claiborne,	Lane,
Glasscock,	Simkins,
Gregg,	Woods.

## ABSENT—2.

Harrison,	Terrell.
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## PETITIONS AND MEMORIALS.

BY SENATOR FIELD:

Numerous petitions from the citizen of Robertson county, asking for legislation on the penitentiary question.

Referred to Committee on Penitentiaries.

THE PRESIDENT

Laid the following invitation from the Governor before the Senate:

EXECUTIVE OFFICE. }

AUSTIN, February 10, 1887. }

*Hon. T. B. Wheeler, President of the Senate:*

Dear Sir—Permit me through you to invite your honorable body to visit the mansion this evening where Mrs. Ross and myself will be pleased to meet you.

Respectfully,

L. S. Ross, Governor.

In this invitation your ladies are specially included.

On motion of Senator Claiborne, the invitation was accepted.

BY SENATOR MACMANUS:

Petition of citizens of Duval county against the passage of the Moore insurance bill.

Referred to Committee on Insurance, Statistics and History.

And

Petition of citizens of Duval county to have the civil and criminal jurisdiction of the county court of that county restored.

Ordered to lie on the table.

BY SENATOR HOUSTON:

Petition in favor of the Moore insurance bill.

Referred to Committee on Insurance, Statistics and History.

## REPORTS OF SPECIAL COMMITTEES.

BY SENATOR CAMP:

COMMITTEE ROOM, }

AUSTIN, February 9, 1887. }

*Hon. T. B. Wheeler, President of the Senate, and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:*

Sirs—Your joint committee on rules beg leave to submit and recom-

mend the adoption of the following amendments to the joint rules of the two Houses now in force:

Add to rule 6 the words, "and shall be in writing and signed by the person delivering the message in his official capacity."

Add to rule 7, after the word "bills," in first line, the words, "and resolutions."

In first line of rule 10 strike out the word "shall" and insert in lieu thereof the word "may."

Substitute rule 11 to read as follows: "After examination and report each bill shall be signed in the respective Houses, first by the presiding officer of the House in which it originates, then by the presiding officer of the other House, in accordance with Article 3, section 38, of the Constitution."

Amend rule 12 to read: "After a bill shall have thus been signed in each House, it shall be presented to the Governor for his approbation by the Enrolling Committee of the house in which it originated, it being first endorsed on the back of the roll, certifying in which house the same originated which endorsement shall be signed by the secretary or clerk (as the case may be) of the house in which the same did originate and shall be entered on the Journal of such house. The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated."

Your committee recommend that in all other respects the joint rules now in force be re-adopted.

Respectfully submitted.

CAMP,  
Chairman Senate Committee.  
NOLEN,  
Chairman House Committee.

Under the rule the report lies over one day.

On motion of Senator Allen,  
Senator Davis was excused till next week on account of sickness.

SENATOR CLAIBORNE:

By leave:  
Sent up the following minority report on Senate bill No. 137:

MINORITY REPORT.

To *Hon. T. B. Wheeler, President of the Senate:*

The undersigned, one of the com-

nittee on internal improvements, to whom was referred Senate bill No. 137, being an act to regulate the practice of architecture, dissenting from a majority of the committee reporting said bill unfavorably, herewith file this minority report, and in support of the same adduce the following reasons why said bill should become a law:

1. That architecture is a learned and difficult science, and a profession that requires both time and money to learn, and deserves and requires protection from unskilled persons who are attempting to follow that profession and have no knowledge of the same.

2. The interests of the public demand that this avocation in life should be protected, and have the same protection as other learned professions and associations.

3. That an architect should be thoroughly conversant with the quality and strength of all material used in the construction of buildings.

4. That he should also be thoroughly conversant with the laws of sanitation, steam heating and accoustics—as applied to buildings—there being a similar law in other States, which has given satisfaction and protected the public from fraud and imposition; that it is in the interest of life and property as well as the protection of the learned against the unlearned. Wherefore I submit this minority report and pray its adoption.

CLAIBORNE, for minority.

By leave, Senator Terrell sent up the following committee report.

COMMITTEE ROOM, }  
AUSTIN, February 9, 1887. }  
*Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Judiciary Committee No. 1, to whom was referred Senate joint resolution No. 4, entitled “A joint resolution authorizing the Attorney General to institute suit against all railroad companies and all other chartered companies who have obtained land from the State, for the forfeiture and recovery of such land where they have failed to comply with the law and requirements in their charters in respect to alienation,” have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with amendment.

All of which is respectfully submitted.

TERRELL, chairman.

#### AMENDMENT.

Strike out the second section of the resolution.

The joint resolution was read first time.

COMMITTEE ROOM, }  
AUSTIN, February 9, 1887. }  
*Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 31, entitled “An act to require railroads to pay their employes promptly, and prescribing a penalty for failure to so pay them,” have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment:

All of which is respectfully submitted.

TERRELL, chairman.

Strike out all after the word “employe,” in line 22, and insert the following: “Twenty per cent. as damages on the amount due him in addition to the amount so due, in no case the damages to exceed one hundred dollars.”

Bill read first time.

#### BILLS AND RESOLUTIONS.

BY SENATOR HARRISON:

Rule 62:

Resolved that rule 62 of the rules of the Senate of the Twentieth Legislature of the State of Texas be amended so as to hereafter read as follows: “Rule 62. On the call of three members for the yeas and nays on any question, they shall be taken, and each member upon his name being called, unless excused by the Senate, shall without debate answer “yea” or “nay,” and if any Senator, being present when his name is called, refuses to vote, such Senator shall be marked and counted by the Secretary as voting “nay.”

Under the rule the resolution lies over one day.

BY SENATOR CLAIBORNE:

“An act to amend section 4543, title 92, of Revised Civil Statutes, creating a labor bureau in the office of the Commissioner of Insurance, Statistics and History.

Referred to Committee on Insurance, Statistics and History.

BY SENATOR BURNEY:

A bill to be entitled "An act to license railroad engineers and conductors."

The bill provides that railroad engineers and conductors shall be licensed by a board of railroad commissioners.

Referred to Committee on State Affairs.

BY SENATOR ABERCROMBIE:

A bill to be entitled "An act to amend chapter 2, title 7, of the Penal Code of the State of Texas."

The bill makes it penal to hunt with firearms any kind of birds or wild game on Sunday, and finable not less than twenty dollars nor more than fifty dollars.

Referred to Judiciary Committee No. 2.

BY SENATOR FRANK:

A bill to be entitled "An act to amend Article 2398, chapter 3, title 42, of the Revised Civil Statutes of the State of Texas."

The bill regulates the fees paid justices of the peace.

Referred to Committee on Finance

SENATOR GREGG,

By leave sent up the following committee report:

COMMITTEE ROOM, )  
AUSTIN, February 9, 1887. }  
*Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Committee on Internal Improvements, to whom was referred Senate bill No. 22, entitled "An act to provide for the regulation of railroad freight and passenger tariffs in this State, to prevent unjust discrimination and extortion in the rates charged for transportation of passengers and freights, and to prohibit railroad companies, corporations and lessees in this State from charging any other than just and reasonable rates, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to appoint commissioners and to prescribe their powers and duties in relation to the same," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the accompanying substitute do pass.

The object of the bill is to provide for the regulation of railroad freight

and passenger tariffs in the State, etc., to appoint commissioners and to prescribe their duties and powers in relation to the same.

The committee further recommends that 200 copies of said substitute be printed.

All of which is respectfully submitted.

GREGG, chairman.

Bill and substitute read first time.

BY SENATOR SIMKINS:

A bill to be entitled "An act to punish sheriffs and constables for failing to take a good bond in criminal cases."

Referred to Judiciary Committee No. 2.

Senate bill No. 60. "An act to amend Article 182 of the Revised Civil Statutes of the State of Texas," was taken up and on motion of Senator Terrell, was ordered to lie on the table, subject to call, and the bill was ordered printed.

Senate bill No. 143. "An act to turn over to the Regents of the State University lands," (which was made special order for to-day instead of Senate bill No 142, as shown in the Journal of the 8th instant), was laid before the Senate as special order, and read second time with committee substitute.

On motion of Senator Glasscock, Who spoke in favor of the substitute, it was adopted, and on motion of Senator Field, the substitute bill was made the second special order for tomorrow after morning call.

Senate bill No. 73. "An act to amend Article 678, chapter 3, title 17, of the Penal Code," was taken up, read third time and passed.

Senate bill No. 59. "An act to prevent the impairing of the efficiency or value of mortgage and other contract liens by the death of persons holding the equity of redemption in such cases," was laid before the Senate, with the substitute of Senator McDonald pending.

SENATOR M'DONALD

Spoke in favor of his substitute.

SENATOR BELL

Moved to amend by striking out all after the word "no," in line 1, to and including the word "estate," in line 5.

SENATOR BELL

Spoke in favor of his amendment.

## SENATOR GREGG

Moved to substitute the amendment.

By striking out in line 3, section 1, the following words: "for funeral expenses, expenses of last sickness."

## SENATOR GREGG

Spoke in favor of the substitute.

SENATORS BURGESS, HARRISON, CLAIBORNE AND M'DONALD

Spoke in favor of the original substitute.

SENATORS CALHOUN, GREGG AND BURNKY

Spoke in favor of the amendments and the substitute for the bill.

Senators Field, Douglass of Jefferson, Jarvis, Allen, Lane, Pope and Upshaw made speeches against the amendments and the substitute for the bill.

Pending consideration of the bill.

On motion of Senator Upshaw,

The Senate adjourned till 10 o'clock to-morrow morning, by the following vote:

YEAS—15.

Abercrombie,	Jarvis,
Allen,	Knittle,
Burgess,	Lane,
Calhoun,	MacManus,
Camp,	Pope,
Field,	Upshaw,
Glasscock,	Woodward.
Houston,	

NAYS—11.

Bell,	Harrison,
Burney,	McDonald,
Claiborne,	Simkins,
Douglass of J,	Terrell,
Frank,	Woods.
Gregg,	

# TWENTY-EIGHTH DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, February 11, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the House Chaplain, Dr. Mitchell.

On motion of Senator Pope,

The reading of the Journal of yesterday, was dispensed with.

## PETITIONS AND MEMORIALS.

BY SENATOR HARRISON:

Protest of citizens of Greer county against the passage of the bill validating patents issued on lands in Greer county.

Referred to Committee on Public Lands.

BY SENATOR FRANK:

Petition of citizens of Duffau, Erath county, asking legislation on railroads, Penitentiaries, etc.

Referred to Judiciary Committee No. 1.

BY SENATOR GLASSCOCK:

By request:

Protest of citizens of Travis county against the pending insurance bill.

Ordered to lie on the table, to be considered in connection with the bill.

## REPORTS OF STANDING COMMITTEES.

BY SENATOR JARVIS:

*Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Committee on Finance, to whom was referred Senate bill No. 172, entitled "An act making an appropriation for the support of the State government for the two years beginning March 1, 1887, and ending February 28, 1889," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the following amendments.

Executive Office page 1. Amend by adding after line 9, "water for mansion \$100, \$100,

State Department page 2. Amend by striking out lines 3 and 4, and insert in lieu thereof, "salary of two clerks," \$2200, \$2200.

Comptroller's Office page 3. Amend line 3, by striking out "\$1700," and inserting \$1800 in both columns. Amend line 4, by striking out "\$1500," and inserting "\$1800" in both columns. Amend line 5, by striking out "\$1500," and inserting "\$1800," in both columns. Amend line 6, by striking out "\$3000," and inserting "\$3600," in both columns. Amend line 7, by striking out "\$3000," and inserting "\$3200," in both columns. Amend line 8, by striking out "\$2800," and inserting